

Amendment under 37 CFR §1.111
Attorney Docket No.: 062440
Application No.: 10/577,916

REMARKS

Claims 1-6 are pending in the present application. Claims 1, 2, 5 and 6 are herein amended. No new matter has been entered.

Claim Rejections - 35 U.S.C. § 102

Claims 1-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Blasco**, *Magnetic properties and structure of $\text{LaNi}_{3/4}\text{Mn}_{1/4}\text{O}_3$* , J. Phys.: Condens. Matter 13 No. 30 (2001). Favorable reconsideration is requested.

Claims 1 and 2 have been amended to delete Mn from the definition of M^2 in the formula $\text{La}_v\text{M}^1\text{Ni}_x\text{M}^2_y\text{O}_z$. As a result, in the formula of the amended claims, M^2 is at least one element selected from the group consisting of V and Cr.

Applicants respectfully submit that Blasco does not teach or suggest:

A complex oxide having a composition represented by the formula $\text{La}_v\text{M}^1_w\text{Ni}_x\text{M}^2_y\text{O}_z$; wherein M^1 is at least one element selected from the group consisting of Na, K, Sr, Ca, Bi and Nd; M^2 is at least one element selected from the group consisting of V and Cr

as recited in amended claims 1 and 2.

Blasco discloses a perovskite material represented by $\text{LaNi}_{3/4}\text{Mn}_{1/4}\text{O}_3$. In contrast, the complex oxide represented by the amended formula $\text{La}_v\text{M}^1_w\text{Ni}_x\text{M}^2_y\text{O}_z$ does not contain Mn, which is an essential component of the oxide of Blasco. Therefore, the oxides of claims 1 and 2 are different from that of Blasco.

Claims 3 and 4 relate to an n-type thermoelectric material comprising the complex oxide of claim 1 or 2. Claims 5 and 6 relate to an n-type thermoelectric module comprising the n-type

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thermoelectric material of claims 3 and 4. The newly added limitations: a high-temperature side substrate, a low-temperature side substrate, p-type thermoelectric materials, n-type thermoelectric materials, electrodes, and conductive wires, are supported in the specification at *e.g.*, page 7, lines 22-26.

Blasco discloses the magnetic properties of the perovskite material represented by $\text{LaNi}_{3/4}\text{Mn}_{1/4}\text{O}_3$; however, Blasco is silent about the performance of the material as a thermoelectric material, and does not teach its effectiveness as an n-thermoelectric material. Therefore, the thermoelectric modules of claims 5 and 6 comprising this material as an n-type thermoelectric material are not anticipated by Blasco.

For at least the foregoing reasons, claims 1-6 are patentable over the cited references. Accordingly, withdrawal of the rejection of claims 1-6 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'A. Melick', with a stylized flourish at the end.

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